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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00114 HG
)	
Plaintiff,)	ORDER COMMITTING DEFENDANT
)	TO FEDERAL MEDICAL CENTER
vs.)	FOR COMPETENCY EXAMINATION
)	
JAMES ANTHONY YEATTS,)	
)	
Defendant.)	
)	

ORDER COMMITTING DEFENDANT
TO FEDERAL MEDICAL CENTER FOR COMPETENCY EXAMINATION

On February 14, 2006, the defendant, James Anthony Yeatts, through counsel Assistant Federal Public Defender Loretta Faymonville, orally moved for an evaluation of competency to proceed pursuant to Title 18, U.S.C. Section 4241(a). The government, represented by Assistant U.S. Attorney Loretta Sheehan, did not oppose the motion.

Based on the representations by Ms. Faymonville, this Court finds that there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his own defense.

IT IS ORDERED, therefore, that the defendant JAMES ANTHONY YEATTS undergo a psychiatric or psychological examination pursuant to Title 18, U.S.C. Section 4241(b), and that a psychiatric or psychological report be filed with the Court, pursuant to the provisions of Title 18, U.S.C. Section 4247(b) and (c).

IT IS FURTHER ORDERED that the defendant JAMES ANTHONY YEATTS be hereby committed to the custody of the Attorney General or his authorized representative for a reasonable period, but not to exceed thirty (30) days to the custody of the Attorney General for placement in a suitable facility for the psychiatric or psychological evaluation, pursuant to Title 18, U.S.C. Section 4247(b). The thirty (30) days shall start upon the defendant's placement in the facility chosen to perform the psychiatric or psychological evaluation. Unless impracticable, the psychiatric or psychological evaluation shall be conducted in a suitable facility closest to the Court. The director of the facility may apply for a reasonable extension, but not to exceed fifteen (15) days, upon a showing of good cause that additional time is necessary to observe and evaluate the defendant.

A status conference is scheduled in this case on April 17, 2006 at 10:30 a.m. before the Honorable Leslie E. Kobayashi.

DATED: Honolulu, Hawaii, February 21, 2006.




Kevin S.C. Chang
United States Magistrate Judge

APPROVED AS TO FORM:

/s/ Loretta Faymonville
LORETTA FAYMONVILLE
Attorney for Defendant

United States v. James Anthony Yeatts
Cr. No. 05-00114 HG
"Order Committing Defendant to Federal
Medical Center for Competency Examination"